

SCS SB 788 -- APPOINTMENT OF CIRCUIT CLERKS

SPONSOR: Keaveny (Diehl)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Judicial Reform by a vote of 13 to 0.

Currently, the circuit clerk in the 19th and 22nd judicial circuits is elected by the qualified voters of the city or county. This substitute requires him or her to be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The clerk must be removable for cause by a majority of the circuit judges and associate judges of the circuit, en banc, in accordance with Supreme Court administrative rules governing court personnel. The elected circuit clerk who is holding office when these provisions become effective must continue to hold office for the duration of his or her elected term.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPONENTS: Supporters say that the bill will remove the need for elections and save \$200,000 in St. Louis and an unknown amount in Cole County. Judges in these districts agree that this change would be useful.

Testifying for the bill were Senator Keaveny; and Judicial Conference of Missouri.

OPPONENTS: Those who oppose the bill say that voters should have the right to choose the circuit clerk as is the typical practice in most rural counties such as Cole County.

Testifying against the bill were Mark Richardson, Cole County Prosecutor; and Marvin Register, Cole County Circuit Clerk.